



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

MEH:ddj
Docket No: 2058-99
19 January 2000

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 January 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 2 December 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND

**5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**

1160
PERS-815
02 Dec 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 08 Mar 99
(b) MILPERSMAN 1160-100
(c) MILPERSMAN 1510-020

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of petitioner's request.

- Petitioner received a STAR reenlistment approval from PERS-815 on 13 Aug 1997.

- Petitioner reenlisted for 6 years on 14 Aug 1997 via STAR program and received a zone "A" SRB entitlement for the ETSS rate.


- Petitioner requests to be advanced to Petty Officer Second Class by reason of the STAR program.

- Per references (b) and (c), automatic advancement under the STAR program is not a guarantee. Automatic advancement eligibility is based on the Career Schools List (CSL) in effect on the date of reenlistment.

- On the date of petitioner's reenlistment, the training which petitioner completed was not listed on the CSL. The NEC which petitioner holds (14TG) was not listed on the CSL. Therefore, petitioner is not eligible for the automatic advancement portion of the STAR program.

2. In view of the above, recommend petitioner's record remain as is.

3. Enclosure (1) is returned.


S. R. CHRISTY
Head, Reenlistment
Incentives Branch